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6 *Attorneys for defendant Costco Wholesale Corporation*

7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 CATHERINE JOHNSON,

10 Plaintiff,

11 v.

12 COSTCO WHOLESALE CORPORATION, a  
Foreign Corporation; DOES I-X, and ROE  
13 ENTITIES I-X, inclusive,

14 Defendants.

CASE NO:

**JOINT MOTION/STIPULATION AND**  
**ORDER TO CONTINUE**  
**DISCOVERY AND PRETRIAL**  
**DEADLINES (FIRST REQUEST)**

15 The above named parties, by and through their respective counsel of record, hereby move the  
16 court and submit the following STIPULATION/JOINT MOTION FOR EXTENSION OF  
17 DISCOVERY DEADLINES (First Request).

18 **A. DISCOVERY COMPLETED TO DATE**

- 19 1. On November 13, 2017, the parties held an initial rule 26(f) conference.  
20 2. Costco served its Rule 26 Initial Disclosures on November 30, 2017.  
21 3. Plaintiff has not yet served her initial disclosures.  
22 4. On or about December 8, 2017, Costco propounded its first sets of Interrogatories,  
23 Document Requests, and Requests for Admissions onto the Plaintiff. Plaintiff  
24 provided responses to Costco's Requests for Admissions on January 10, 2018.  
25 Plaintiff has not yet responded to Costco's Interrogatories or Requests for Document  
26 Productions, but Costco expects plaintiff's responses to served in short order.

27 **B. DISCOVERY THAT REMAINS TO BE COMPLETED**

- 28 1. Costco still needs to procure discovery request responses and healthcare

authorizations and records;

2. Plaintiff needs to make her initial disclosures;

3. Deposition of plaintiff.

4. Deposition of plaintiff's treating physicians and/or anticipated medical experts.

5. Deposition of plaintiff's potential non-medical experts.

6. Deposition of Costco's person most knowledgeable.

7. Possible deposition of percipient witnesses.

8. Parties anticipate designating multiple expert witnesses and conducting the depositions of the designated experts

**C. REASONS WHY DISCOVERY HAS NOT BEEN COMPLETED/CANNOT BE COMPLETED WITHIN CURRENT DISCOVERY DEADLINES**

1. Plaintiff was previously represented by Atty. Gabriel Martinez of Greenman, Goldberg, Raby & Martinez.

2. On January 9, 2018, Atty. Lawrence Ruiz associated in to represent the plaintiff. Atty. Ruiz will be taking over primary responsibility for this case.

3. The parties believe the association of Atty. Ruiz has caused a delay in all discovery which is vital to both parties' cases.

4. Due to the delay in receiving plaintiff's initial disclosures and document request responses, Costco has not been able to evaluate this case as necessary.

**D. CURRENT DISCOVERY SCHEDULE**

Disclose Initial Experts: January 29, 2018

Disclose Rebuttal Experts: February 26, 2018

Close of Discovery: March 28, 2018

Dispositive Motions: April 27, 2018

Pretrial Order: May 29, 2018

**E. PROPOSED DISCOVERY SCHEDULE**

**Disclose Initial Experts: April 30, 2018**

**Disclose Rebuttal Experts: May 30, 2017**

**Close of Discovery: June 29, 2017**

**Dispositive Motions:**

**July 30, 2017**

**Pretrial Order:**

**August 30, 2017**

The instant stipulation/joint motion and order was not submitted at least twenty-one (21) days before the January 29, 2018 initial expert disclosure deadline because the need for the extension of the current discovery deadlines did not become absolutely apparent until after that time. Although the parties' intent was to honor and conduct discovery pursuant to the operative discovery deadlines, it appears improbable for the parties to complete the same for purposes of adequately prosecuting—and defending—the pertinent claims/issues during trial.

Accordingly, the instant joint motion and order to extend discovery for sixty (90) days is being submitted as soon as the failure to comply became apparent.

AGREED TO BY:

DATED this 26<sup>th</sup> day of January, 2018.

DATED this 26<sup>th</sup> day of January, 2018.

**RUIZ LAW FIRM**

**WILSON, ELSE, MOSKOWITZ,  
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/s/Lawrence M. Ruiz

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IT IS SO ORDERED.

Dated January 29, 2018

  
UNITED STATES MAGISTRATE JUDGE